

State of South Dakota

SEVENTY-FOURTH SESSION LEGISLATIVE ASSEMBLY, 1999

607C0533

HOUSE BILL NO. 1099

Introduced by: Representatives Peterson, Duniphan, Fiegen, Fischer-Clemens, Koehn, Konold, Patterson, Solum, and Sutton (Duane) and Senators Daugaard, Lawler, Madden, Paisley, and Shoener

1 FOR AN ACT ENTITLED, An Act to revise the exemptions to the practice of cosmetology.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 36-15-2 be amended to read as follows:

4 36-15-2. Any person ~~or persons~~, who for compensation, a fee, or any valuable consideration,
5 engages in any ~~one or all~~ of the following practices or arts ~~shall be understood to be~~ is engaged
6 in the practice of cosmetology, ~~to wit: Any person who engages in the practice or art of:~~
7 dressing, curling, waving, permanent waving, cleaning, cutting, singeing, bleaching, setting,
8 fitting, coloring, or similar work upon the hair or wigs of any person by any means, or who, with
9 hands, mechanical, or electrical apparatus, or any other appliances, or by use of cosmetic
10 preparations or antiseptics, engages in the practice or art of massaging, cleansing, manipulating,
11 or performing similar services upon the scalp, face, neck, arms, bust, or shoulders, manicuring
12 the nails, or removing superfluous hair about the body of any person.

13 This section does not apply to ~~any person licensed by this title, while practicing within the~~
14 ~~scope of his license or to any person practicing permanent removal of hair by the use of a~~
15 ~~galvanic or thermalytic needle;~~

16 (1) Any person licensed by this title, while practicing within the scope of the person's

1 license or to any person practicing permanent removal of hair by the use of a galvanic
2 or thermalytic needle; or

3 (2) Any retailer at a retail establishment who in the ordinary course of business is engaged
4 in the demonstration of make-up if:

5 (a) The make-up is applied only with disposable applicators that are discarded
6 after each customer demonstration;

7 (b) The demonstration is without charge to the person to whom the demonstration
8 is given; and

9 (c) The retailer does not advertise or provide a cosmetological service except the
10 sale of make-up and fragrances.